

BEFORE THE DIVISION OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

---ooOoo---

IN THE MATTER OF TENTATIVE	:	NOTICE OF TENTATIVE
DECISION TO APPROVE A LARGE	:	DECISION TO APPROVE
MINING AND RECLAMATION PLAN	:	
FOR LAKEVIEW ROCK PRODUCT'S,	:	
THOMAS PIT, DAVIS COUNTY, UTAH	:	NO. M0110002

---ooOoo---

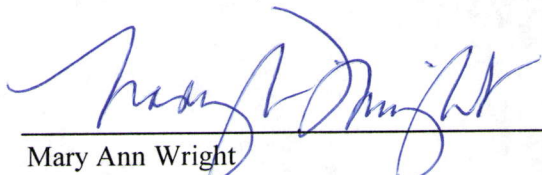
Notice is hereby given by the Division of Oil, Gas and Mining of its tentative decision to approve the Large Mining Operations Notice of Intention (Notice) for the Thomas Pit. Mining activities will affect the following area: Portions of the East 1/2 of the Southeast 1/4 of Section 11, Township 1 North, Range 1 West, SLBM, Davis County, Utah

Lakeview Rock Products has filed a Notice to expand an existing small mine to a large mining operation. Reclamation surety will be posted to assure reclamation of the 39 acres of disturbance on private land. The mine will extract the sand, gravel, and rock products using an open-face extraction leaving a series of benches at an overall 45 degree slope. Some blasting may be necessary. Safety berms, signs, and fences will be placed around the highwall to prevent public access. After mining, benches will be seeded and the remainder of the disturbance graded and seeded. The complete Notice may be viewed at the Division's Public Information Center.

Any person or agency aggrieved by this tentative decision may file a written protest within thirty (30) days of the date of publication to Mary Ann Wright, Associate Director of Mining, Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Box 145801, Salt Lake City, Utah 84114-5801, setting forth factual reasons for the complaint.

DATED THIS 25th day of July, 2006

STATE OF UTAH
DIVISION OF OIL, GAS AND MINING



Mary Ann Wright
Associate Director, Mining

CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the foregoing Notice of Tentative Decision to Approve the Large Mining Notice of Intention for Lakeview Rock Product, Thomas Pit Min, project, M/011/0002 to be sent via facsimile, electronic mail, or mailed by first class mail, postage prepaid, the 25th day of July, 2006 to:

FACSIMILE: 237-2776 and
E-MAIL: naclegal@nacorp.com
Salt Lake Tribune
Advertising Department
116 Regent Street
P.O. Box 45838
Salt Lake City, Utah 84145

CERTIFIED RETURN RECEIPT
7004 2510 0004 1824 7753

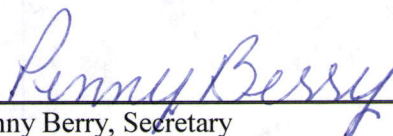
Russell Larsen
Lakeview Rock Product
900 North Redwood Road
P.O. Box 540700
Salt Lake City, Utah 84054-0700

CERTIFIED RETURN RECEIPT
7004 2510 0004 1824 4813

Monte Thomas
7715 Dell Road
Salt Lake City, Utah 84121

CERTIFIED RETURN RECEIPT
7004 2510 0004 1824 4820

Blaine Gehring
Davis County Zoning
642 North 400 West
North Salt Lake, Utah 84054


Penny Berry, Secretary

M011/00011-pn



State of Utah

**Department of
Natural Resources**

MICHAEL R. STYLER
Executive Director

**Division of
Oil, Gas & Mining**

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

July 21, 2006

FACSIMILE 237-2776
E-Mail – naclegal@nacorp.com

Salt Lake Tribune
Legal Advertising
116 Regent Street
P.O. Box 45838
Salt Lake City, Utah 84145

Legal Department:

Subject: NOTICE OF TENTATIVE APPROVAL - M0110002

Attached is a Notice of Tentative Approval from the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah.

It is requested that this notice be published ONCE ONLY as soon as possible, but no later than the 28th day July of, 2006. In the event that said notice cannot be published by this date, please notify me immediately by calling 538-5291.

Upon completion of this request, please send proof of publication and statement of cost to the Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Box 145801, Salt Lake City, Utah 84114-5801; phone (801) 538-5340.

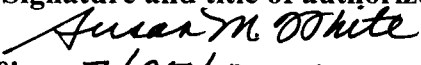
Sincerely,

Penny Berry
Minerals Secretary

Attachment
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STATE ACTIONS
Governor's Office of Planning and Budget
Resource Development Coordinating Committee
P.O. Box 145610
1594 W. North Temple, Suite 3710
SLC, UT 84114-5610
538-5535

1. Administering State Agency <u>Division of Oil, Gas and Mining</u>	2. Approximate date project will start: <u>Expanding an existing small mining operation (<5 acres) to a large mining operation.</u>
3. Areawide clearinghouse(s) receiving state action: (to be sent out by agency in block 1) <u>Wasatch Front Regional Council</u> <u>Wilbur R. Jefferies, Exec. Dir</u> <u>420 West 1500 South, Suite 200</u> <u>Bountiful, UT 84010</u>	
4. Type of action: / / Lease / <input checked="" type="checkbox"/> / Permit / / License / / Land Acquisition / / Land Sale / / Land Exchange / / Other _____	
5. Title of proposed action: <u>Thomas Pit, M0110002, Lakeview Rock Products</u>	
6. Description: <u>Mining and Reclamation Plan Summary:</u> <u>Lakeview uses an open-face extraction method. Unconsolidated materials would be extracted, crushed and screened. Exposed rock would be blasted as necessary. All excavated materials will be sold as various sand/gravel/rock products; no waste will be generated. Safety berms or fences will be placed around the highwalls and signed every 200 feet to warn the public of the pit. Mining will occur to within a 100-foot setback from the property boundary. The only facility on site will be a scale house. A landscape berm will be developed in front of the project as a visual screen. The operator has obtained an Air Quality Approval Order and will take necessary steps to control fugitive dust.</u> <u>The mining operation will leave a final highwall benched and sloped to an overall 45- degree slope. Benches will be bermed and seeded with a mix of adapted species. The top highwall will have a 4- foot safety berm at the edge. The scale house will be removed. The operations area will not be mined lower than the Beck Street elevation and graded to drain toward the highwall so runoff will not leave the site. The floor surface will be analyzed to determine revegetation potential and amended as necessary. The operations area will be ripped and seeded with a mix of adapted species. The operator will monitor for noxious weeds and provide weed control measures as necessary.</u>	
7. Land affected (site location map required) (indicate county) – <u>Portions of the East 1/2 of the Southeast 1/4 of Section 11, Township 1 North, Range 1 West, SLBM, Davis County, Utah</u>	
8. Jordan River Natural Areas Forum review – If the proposed action affects lands within the Jordan River Natural Areas Corridor. (to be sent out by agency in block 1. (see Instructions II below). <u>N/A</u>	
9. Has the local government(s) been contacted? <u>Yes</u> If yes, a. How was contact made? <u>Notice to county zoning department and newspaper publication.</u> b. Who was contacted? <u>Davis County Government, PO Box 618, Farmington, Utah 84025</u> c. What was the response? <u>Sent with RDCC notice</u> d. If no response, how is the local government(s) likely to be impacted? <u>Increased economy to the County.</u>	

10. Possible significant impacts likely to occur: <u>Increased traffic and noise during operations.</u> <u>Landscape is previously mined so some, not major, impact to postmining topography.</u>	
11. Name and phone of district representative from your agency near project site, if applicable: <u>N/A</u>	
12. For further information, contact: <u>Lynn Kunzler, Senior Reclamation Biologist</u> Phone: <u>(801) 538-5321</u>	13. Signature and title of authorized officer  Date: <u>7/25/2004</u>

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EXECUTIVE SUMMARY

Date Draft Summary Prepared: July 13, 2006

Mine Name: Thomas Pit	I.D. Number: M0110002
Operator: Lakeview Rock Products	Date Original Notice Received: June 23, 2006
Address: PO Box 540700	County: Davis
900 North Redwood Road	New/Existing: Status changing from SMO to LMO
Salt Lake City, UT 84054-0700	Mineral Ownership: Fee
Telephone: (801) 292-1411	Surface Ownership: Fee
Contact Person: Russell Larsen	Lease No.(s): N/A
	Permit Term: Life of Mine

Life of Mine: 10+ years

Legal Description: Portions of the East 1/2 of the Southeast 1/4 of Section 11, Township 1 North, Range 1 West, SLBM, Davis County, Utah

Mineral(s) to be Mined: Rock products

Acres to be Disturbed: 39 acres

Present Land Use: Historically, the land was used for grazing, limited wildlife habitat, and light industrial uses.

Postmining Land Use: The proposed reclamation plan will restore the uses of limited grazing and wildlife habitat if not developed for light industrial uses.

Variances from Reclamation Standards (Rule R647) Granted:

Soils and Geology

Soil Description: Nearly all soils in the quarry area were removed during previous mining activity. Prior to mining, most of the area was covered with soils of the Harkers-Wallsburg-Lucky Star-Gappmayer association. These soils are deep to shallow depending on location and are derived from a mixture of sedimentary rocks in colluvial, alluvial, and residual deposits. The soils tend to be coarse textured with varying amounts of coarse fragments. Horizon formation is limited.

When the site is reclaimed, a berm will be built above the highwall. Soil from the footprint will be placed on top of the berm and revegetated. Other soil currently stockpiled above the highwall will be used to revegetate a short road segment in the area.

pH: Unknown but expected to be slightly alkaline, about 7.5-8.0

Special Handling Problems: Steep slopes present safety concerns for salvaging soils.

Geology Description: The Thomas Pit is located on a geomorphic feature called the Salt Lake Salient. This feature is the result of the termination of two major fault segments of the Wasatch Fault Zone. This feature brought Paleozoic carbonate rock to the surface. Age of the rock range from Cambrian to Mississippian. Tertiary

conglomerate and volcanic rock overlie the block of Paleozoic rock. The rock generally dip to the southeast and strike to the northeast. The final sedimentary deposits come during the quaternary (Pleistocene) epoch. These deposits are lacustrine on origin left from Lake Bonneville and are generally flat lying.

Hydrology:

The shallow water table is expected to be approximately 20-25 feet below the pit floor area, based upon the nearby Staker well. Lakeview follows a Spill Protection and Prevention Plan onsite and all hazardous materials are contained within the proper containment areas.

Ground Water Description: The pit floor will be 20 to 25 feet above the shallow water table. There are no known springs located within the property boundary. A spring to the south on the Staker-Parsons property, know as the Lime Canyon Spring found in Lime Canyon, Another source of Ground water in the area is the Warm Springs Fault. Beck's Hot Spring is located in the SW1/4 SE1/4 of Section 14, T1N R1W, and Wasatch Hot Springs is located in the NE1/4 of Section 25 T1N R1W. These springs as well as numerous other minor springs found along the trace of the Warm Springs fault are high in TDS due to the upwelling of geothermal water. The Hobo fault is the western boundary of the down dropped block or bedrock below the quarrying operation. To the West of the Hobo Fault the water quality improves as evidenced by the water quality found in the two wells in Section 26 T1N R1W. There is no supposed mixing of the water from the two wells in Section 26 T1N R1W on the west side of Hobo fault and the hot springs water found below the property due the different chemical signatures. Below the mine area along Beck Street is a highly transmissive shallow aquifer in direct connection with the valley. It is very important that any storm water be well contained and not be an additional contaminant to the shallow aquifer below the property although this ground water is poor quality. East of the Warm Springs Fault is the recharge for the principal aquifer in the valley occurring mainly as streams, canals, etc that flow into the valley. The foothills east and south of the property recharge the perched aquifers for the springs used by the mine operations. These springs (i.e. Lime Canyon) are being used for process waters and are east of the operating limit of the property.

Surface Water Description: Lakeview's existing and proposed pit development and related operations are located in the Jordan River drainage basin, on the east slopes of the Salt Lake Valley. Annual rainfall averages between 16 and 25 inches. Mining operations have not intercepted any stream channels. There is only minimal upgradient watershed area along the Bonneville Bench that could contribute runoff to the property area. The pit floor will be graded to retain all runoff until it infiltrates or evaporates.

Water Monitoring Plan: None

Ecology

Vegetation Type(s); Dominant Species: The native vegetation communities are dominated by bunchgrasses, particularly bluebunch wheatgrass and bottlebrush squirreltail, with some sagebrush. Some of these areas contain box elder, big tooth maple, netleaf hackberry, and smooth sumac. Weedy species, both native and introduced, have replaced many of the desirable species outside the draws. These species include gumweed, cheatgrass, bulbous bluegrass, storksbill, snakeweed, and several others.

Percent Surrounding Vegetative Cover: Vegetative cover of the surrounding areas ranges from 15 to 47 percent, with an average vegetation cover of 34%.

Wildlife Concerns: There are no sensitive wildlife species or threatened / endangered species on the project area.

Surface Facilities: The only permanent facility will be the scale house.

Mining and Reclamation Plan Summary:

During Operations:

Lakeview uses an open-face extraction method. Unconsolidated materials would be extracted, crushed and screened. Exposed rock would be blasted as necessary. All excavated materials will be sold as various sand/gravel/rock products. No waste will be generated. Safety berms or fences will be placed around the highwalls and signed every 200 feet to warn the public of the pit. Mining will occur to within a 100-foot setback from the property boundary. The only facility on site will be a scale house. A landscape berm will be developed in front of the project to provide a visual screen. The operator has obtained an Air Quality Approval Order and will take necessary steps to control fugitive dust.

After Operations:

The final highwall will be benched and sloped to an overall 45- degree slope. Benches will be bermed and seeded with a mix of adapted species. The top highwall will have a 4- foot safety berm at the edge. The scale house will be removed. The pit floor will be graded to drain toward the highwall so that any runoff will not leave the site. The floor surface will be sampled for factors to determine the ability to support vegetation and will be amended as necessary. The Pit floor will be ripped and seeded with a mix of adapted species. The operator will monitor for noxious weeds and provide weed control measures as necessary.

Surety

Amount: Final amount to be determined later Current - \$100,000

Form: Surety Bond

Renewable Term: 5 years.

pb

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TRANSACTION REPORT

P. 01

JUL-25-2006 TUE 04:12 PM

FOR: OIL, GAS & MINING

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State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Oil, Gas & Mining

MICHAEL R. STYLER
Executive Director

JOHN R. BAZA
Division Director

UTAH DIVISION OF OIL, GAS AND MINING
FACSIMILE COVER SHEET

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FROM: Penny Berry - DOGM

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MESSAGES:

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legal notice.

Thanks

Penny Berry

Important: This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return this original message to us at the above address via regular postal service. Thank you.



State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

July 21, 2006

FACSIMILE 237-2776
E-Mail – naclegal@nacorp.com

Salt Lake Tribune
Legal Advertising
116 Regent Street
P.O. Box 45838
Salt Lake City, Utah 84145

Legal Department:

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Sincerely,

A handwritten signature in cursive script that reads "Penny Berry".

Penny Berry
Minerals Secretary

Attachment

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BEFORE THE DIVISION OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

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IN THE MATTER OF TENTATIVE
DECISION TO APPROVE A LARGE
MINING AND RECLAMATION PLAN
FOR LAKEVIEW ROCK PRODUCT'S,
THOMAS PIT, DAVIS COUNTY, UTAH

:
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NOTICE OF TENTATIVE
DECISION TO APPROVE

:
NO. M0110002

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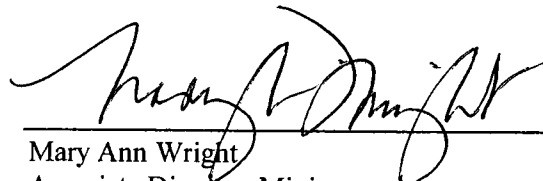
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DATED THIS 25th day of July, 2006

STATE OF UTAH
DIVISION OF OIL, GAS AND MINING



Mary Ann Wright
Associate Director, Mining